Attorney Docket No.:

UT-0031

Inventors:

Mayer-Proschel et al.

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## REMARKS

Claim 1 is pending in the instant application. The rejection of claim 1 under 35 U.S.C. § 112, first paragraph, for lack of enablement has been maintained. The Examiner has acknowledged the specification to be enabling for a method of isolating human neuroepithelial precursor cells from neural tissue (e.g. the neural tube) from human embryos after first culturing adherent cultures on fibronectin/laminin and then after using structurally known and definable antibodies to A2B5, NG2 and eNCAM. However, the Examiner suggests that the specification does not reasonably provide enablement for a method using generic "human fetal cells". Thus, in an earnest effort to advance the prosecution of this case and in accordance with the Examiner's suggestion, Applicants have amended claim 1 to be drawn to "a method for isolating human neuroepithelial precursor cells from human fetal neural tissue . . ". The Examiner acknowledges that amendment obviates the rejection under 35 U.S.C. § 112, first paragraph, and places the case in condition for allowance. Thus reconsideration and withdrawal of this rejection under 35 U.S.C. S 112, first paragraph, is respectfully request. Further, it is respectfully requested that the requirement for a new Declaration

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for inventor, Patrick Tresco, be held in abeyance at this time. Applicants have forwarded a new Declaration in compliance with 37 C.F.R. 1.67(a) for signature and dating to inventor Tresco and currently awaiting its return. Upon receipt, Applicants will forward the Declaration to the Examiner.

## Conclusion

Applicants believe that the foregoing comprises a full and complete response to the Office Action of record. Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

Respectfully submitted

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